S.B. Criminal Misc. Bail Application No.3845/2006
Date : 04.09.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. T.P Vyas for the applicants.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicants submits that co-accused has already been enlarged on bail by this Court in S.B. Criminal Misc. Bail Application No.3537/2006 vide order dated 23.08.2006 and the case of the present applicants is not different, then, the co-accused who has already been granted bail, therefore, the applicants may also be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that it is a case where the accused applicants along with other committed theft of electricity wire, therefore, they should not be extended benefit of bail.

Taking into consideration the overall facts and circumstances of the present case and the fact that no previous conviction has been recorded against the applicants, I deem it just and proper to enlarge the accused applicants on bail during the pendency of trial.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Shyam Lal son of Mohan Ram ji and (2) Chotu Singh son of Kalu Singh shall be released on bail in FIR No.69/2006, P.S. Shivpura, Sojat City, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant